

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:16CV324-MOC  
(3:01CR151-MOC-DCK-1)

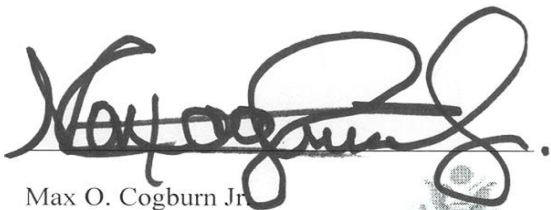
ERIC BERNARD LOWERY, )  
 )  
 Petitioner, )  
 )  
 vs. )  
 )  
 UNITED STATES OF AMERICA, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

**ORDER**

**THIS MATTER** is before the Court on its own motion following the Government's filing of a supplemental brief addressing Petitioner's motion to vacate brought under 28 U.S.C. § 2255. (Doc. No. 8).

**IT IS HEREBY ORDERED** that Petitioner shall have ten (10) days to address the contention made in the Government's supplemental brief that Petitioner's motion to vacate should be dismissed, following the Fourth Circuit Court of Appeals decision in United States v. Brown, 868 F.3d 297 (4th Cir. 2017).

Signed: October 16, 2017

  
Max O. Cogburn Jr.  
United States District Judge

